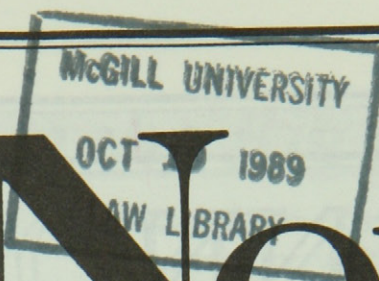


# Quid Novi



Vol. X, No.7

McGILL UNIVERSITY FACULTY OF LAW  
UNIVERSITE MCGILL FACULTE DE DROIT

October 17, 1989  
le 17 octobre 1989

## Le pouvoir du souvenir

by Véronique Bélanger, B.C.L. III

Le 4 octobre dernier, trois conférenciers invités par les Avocats en Faveur d'une conscience sociale sont venus à McGill témoigner de ce qu'il est maintenant convenu d'appeler le printemps de Pékin. Mme Alexandra Szacka, journaliste à Radio-Québec, M. Gabriel Régallet\*, ancien président de la section francophone d'Amnistie internationale au Canada, et M. Irwin Cotler, professeur de la faculté de droit et bien connu pour son engagement dans la cause des droits de la personne, ont pris la parole pour rendre compte des événements bouleversants qui ont secoué la Chine et le monde entier aux mois de mai et juin derniers.

Nous rapportons cette semaine les propos de Mme Szacka et de M. Régallet. Vous pourrez lire la semaine prochaine un résumé de l'intervention de M. Cotler.

### Partie I

Les conférenciers ont souligné, tour à tour, l'importance de garder en mémoire les images profondément troublantes de la répression sanglante du mouvement de réformes. Oublier, dira M. Cotler, c'est donner raison aux responsables, et tort aux victimes.

Mme Szacka est arrivée à Pékin le 19 avril avec une équipe de télévision de Radio Québec pour faire des reportages

sur les réformes économiques accomplies en Chine depuis 10 ans.

Dès son arrivée, Mme Szacka fut frappée par la spontanéité qui caractérisait le mouvement étudiant, apparu à la suite de la mort le 15 avril de Hu Yaobang, ancien secrétaire général du parti communiste chinois, limogé en 1987 pour avoir été trop conciliant avec le mouvement contestataire étudiant de 1986. En réclamant des funérailles officielles, les étudiants montraient leur opposition aux dirigeants qui l'avaient démis de ses fonctions. Les leaders étudiants, que rien ne prédestinait à de telles responsabilités, revendiquèrent bientôt la liberté de presse, d'association, et d'opinion, garanties par la constitution chinoise. Ils voulaient mettre fin à la corruption mais surtout, ils souhaitaient entamer un dialogue avec le pouvoir. Ces étudiants ne semblaient pas avoir peur des conséquences éventuelles de leur engagement.

Très vite, le mouvement a grossi au-delà de toutes les prévisions des étudiants. Le 15 mai, une manifestation rassembla à Pékin des centaines de milliers de personnes dont plusieurs milliers de travailleurs. Les étudiants avaient sous-estimé l'écho que leurs revendications allaient trouver chez ces derniers. Avec l'arrivée des travailleurs, les étudiants ont été complètement dépassés par l'ampleur que prit le mouvement.

Selon l'analyse de la journaliste, la

réaction du parti aux manifestations s'explique par la lutte de pouvoir qui se déroulait alors au sommet de la hiérarchie politique. Les hésitations des dirigeants et leur apparente incapacité à choisir entre la ligne dure et la ligne douce en témoignent. Ainsi, la veille même de l'imposition de la loi martiale, le 20 mai, Li Peng, premier ministre, et Zhao Zhiang, secrétaire général du parti communiste, avaient visité les grévistes de la faim sur la place Tien'Anmen et avaient reconnu leurs bonnes intentions.

La lutte entre Zhao Zhiang et Li Peng avait pour enjeu la succession de Deng Xiaoping. Jusqu'en avril, Zhao Zhiang était le dauphin officiel de Deng. Alors que ce dernier n'entrevoyait que des

Suite à la p.5

### *In this issue/ Dans ce numéro*

Announcements... Page 2

Take a Bite... Page 3

Calendar/ Calendrier... Page 4

Coin des Sports Corner...  
Page 4

Centaur Season... Page 6

Article 128... Page 7

East Timor... Page 8

Interviewing... Page 9

Emergency Cultural Note...  
Page 10

Quotes of the Week... Page 10



# ANNOUNCEMENTS

## Forum National

Forum National is pleased to announce that Mr. William Johnson, Political Columnist of the Montreal Gazette will speak on "Post-Election Quebec: The Next Five Years," on Wednesday, October 25th at 12:00 in Room 202.

\*\*\*\*\*

## International Environmental Law Conference

The Canadian Council on International Law will hold its annual conference in Ottawa from October 19-21. This year's theme: "Preserving the Global Environment". For a look at the program and information on registration, see the LSR bulletin board in the lower corridor.

\*\*\*\*\*

## Revue de droit de McGill

Tous les étudiants de 2ième, 3ième et 4ième année sont priés de venir chercher leur copie des numéros 1 & 2 du Volume 34 (1988-89) de la revue chez «Sadies», au sous-sol. Vous avez déjà payé pour ces numéros alors qu'attendez-vous pour les ajouter à votre collection?

Numbers 1 & 2 of Volume 34 (1988-89) of the journal should be picked up by all 2nd, 3rd and 4th year students. They are available at "Sadies" in the basement. You have already paid for these numbers so don't delay adding them to your growing collection!

\*\*\*\*\*

**Aide juridique de McGill Legal Aid Wanted:** Legal Aid Director. Candidate: 3rd or 4th year student who has worked as clinic staff for one academic year. Applications available at the Clinic; submit by October 18th. For more information see Peter Golden.

Tour of the Palais de justice de Montréal. See a real trial in action and get a feel for the law in process. Le 19 octobre, 14h00, rendez-vous au Palais de Justice (St-Laurent at Autoroute Ville Marie; métro Champs de mars). Sign up sheet in the pit on Legal Aid notice board.

\*\*\*\*\*

## Apple MacIntosh Hard Disk Drive for Sale

The computer committee has an unused 20SC Megabyte Apple MacIntosh hard disk drive that it wishes to sell. The purchase price for this drive was \$874.18. Its AppleCare warranty expires on February 9, 1990. Anyone interested in submitting a purchase bid for this disk drive can do so in a sealed envelope addressed to:

The Computer Committee Box  
Apple Drive Purchase Bid  
LSA Office  
3644 Peel

Please include your name and telephone number with the bid. Bids must be received by noon of October 25, 1989. The highest bid will be given the opportunity to purchase the drive.

\*\*\*\*\*

## Cocktail Reception

On Wednesday, October 18, Phillips & Vineberg will be hosting a cocktail reception in the Common Room of the Faculty of Law. The reception will be from 4:30 to 6:30 p.m. The topic of the reception will be "The First Years of Practice" and will provide an opportunity for students of the Faculty to meet some of the members of the firm. Everyone is welcome to attend.

\*\*\*\*\*

## Atelier de théorie du droit/Legal Theory Workshop

Simone Goyard-Fabre (Caen), "L'ordre juridique et la question de son fondement dans la philosophie du droit contemporain en France," le vendredi 20 octobre 1989, 12h00, Salle 202, 3644, rue Peel.

\*\*\*\*\*

## Careers Announcement

The Careers Committee and the Placement Office are pleased to present three careers conferences this semester:

"Parenthood, women & the practice of law," (co-sponsored with Women in the Law), October 18, 12:00 p.m., Room 201.

"Legal careers in public interest agencies," October 25, 12:00 p.m., Room 201.

"The practice of in-house counsel," November 8, 12:00 p.m., Room 201.

**P.S.** Don't forget that the Placement Office is always open Wednesday 9:00-10:00, 12:00-1:00 and Thursday 12:00-2:00. For access at other times see Suzanne Roy Gasperec (Admissions) or Professor Jutras.

\*\*\*\*\*

## Class Photos

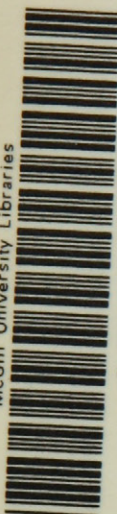
Abso!utely, positively last date for photos is Wednesday, October 18. LL.B. III - 12:00 p.m.; National IV - 12:15 on the steps of OCDH.

\*\*\*\*\*

## Recherchistes en Droit

Le professeur Tetley veut engager un ou deux recherchistes en droit sur les lois linguistiques du Québec, de la Belgique et d'Israel.

Cont'd on p.5





# *Taking a Bite: My Summer in the Big Apple*

by Susan Abramovitch, B.C.L. III

Since returning to Montreal after my summer associate stint in a large New York City law firm, four questions have greeted me recurrently:

- 1) "Did you work really long hours?"
- 2) "With the 'big' clients and 'big' deals that these New York firms have and do, your work must have been limited to photocopying and coffee-fetching, right?"
- 3) "Lunches, dinners, plays, cocktail parties, benefits, trips: Were you required to do any work?"
- 4) "Fine, you had fun for a summer. But are you prepared for the life of indentured servitude that lies ahead of you in 'real-life' in New York?"

Interpreting these questions as interest on the part of the student body, I will address the underlying queries of each of the above.

## 1) The hours

New York law firm office hours begin at 9:30 a.m., the time at which I usually arrived. My day would generally end at 6:00 to 6:30 p.m. The hours, of course, were flexible. No one would criticize a late arrival at 10:30 or 11:00 a.m., as long as the tardy summer associate's secretary was kept abreast of the student's whereabouts.

Weekend work was rare. Over the entire summer, I felt the need to devote part of my Saturday to memorandum-editing only twice.

The urgent nature of particular projects led me to work evenings at points in the summer. Although labouring past 8:00 p.m. occurred infrequently, the firm's policy of dinner and car service "on the

client" helped ease the discomfort of late-night work.

## 2) The Work

The summer program at my firm is divided into practice area rotations chosen by the student. I, for example, rotated through the litigation department for five weeks and through the corporate department, Mergers & Acquisitions and Capital Markets sub-divisions, for six weeks.

Commencing my American legal experience in litigation was not one of the better decisions I have made in my life. At large law firms, as many of us already know, junior associate litigation work means library research. Large New York law firms are no exception. Although I am well-equipped in Canadian legal research techniques due to that oh-so-helpful library assignment in first year, I found myself lost in the American stacks. "Blue-booking", the "Key System" and "Shepardizing" were foreign concepts to me. Manual searches, furthermore, were discouraged due to the time wasted (the client was actually paying \$90.00 U.S. for every summer associate billable hour); rather, Westlaw and Lexis computer searches were the norm. My legal analysis abilities were, obviously, retarded somewhat because of my inexperience in American research. This lack of training was occasionally interpreted improperly as incompetence. During the first few weeks into this rotation, thankfully, I managed to develop a familiarity with American research skills which allowed me to perform more efficiently.

I was assigned to a "cluster" which concentrated on white collar crime litigation and I worked under the supervision of a well-known U.S. Attorney's Office prosecutor, come criminal defence attorney, come entertainment law litigator/partner. I was able to attend the arraignment and bail hearing of a high-profile arbitrager

charged with securities fraud, i.e. insider-trading, for which matter I had done research. Other, more mundane work also filled my days, including brief-writing for a bankrupt law firm's collection suits and research memoranda on corporate litigation matters. I was sent to Los Angeles to observe a mock summary jury trial put on by the attorneys of the local branch office of my firm. Finally, the highlight of my summer was participating in a mock examination of a witness which I coordinated with a fellow summer associate. This event took place in a genuine Federal District Court over which a genuine Federal District judge presided.

By the time I rotated to the corporate department, I felt relatively comfortable with American law. The corporate work, furthermore, did not require much pre-acquired knowledge of any law, as I believe is the case with respect to Canadian summer student corporate work as well. I drafted and reviewed forms, required for securities offerings, headed for the Securities and Exchange Commission in Washington, D.C. I travelled to Lacrosse, Wisconsin to perform "due diligence", searching through corporate files for lease information which I would later analyze in preparation for a friendly takeover. A trip to "the printer's" brought me, ironically, to Toronto. In order not to distort the picture, I should add that a certain amount of research and memo-writing was required in this department as well. I analyzed, for example, the effects of a European Economic Community Directive, which set out prospectus-unification requirements, on Americans investing abroad.

## 3) The Fun

As you can probably deduce by now, I had quite a bit of free time to enjoy New York City. The firm took advantage of this opportunity to show me the city, hastening my falling in love with the Big



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# Calendar of Events

**Oct. 17 (Tues.)**

"Natural and Revealed Communities,"  
A lecture by Northrop Frye  
18h00, Moot Court

**October 18 (Wed.)**

"Parenthood, Women and the Practise of Law,"  
Co-sponsored by the Placement Office/  
Careers Committee and Women in the Law  
12h00, Room 201

**October 19 (Thurs.)**

Tour of the Palais de Justice de Montréal  
14h00, rendez-vous au Palais de Justice.

!!!!!!

**October 20 (Fri.)**

"L'ordre juridique et la question de son fondement dans la philosophie du droit contemporain en France,"  
Simone Goyard-Fabre (Caen)  
12h00, Salle 202

**October 25 (Wed.)**

"Post-Election Quebec: The Next Five Years,"  
William Johnson  
Sponsored by Forum National  
12h00, Room 202.

**October 25 (Wed.)**

"Legal Careers in Public Interest Agencies,"  
Sponsored by the Placement Office/  
Careers Committee  
12h00, Room 201

## Coin des SPORTS Corner

Hola! Que tal! Plenty of action this week in Intramural Sports! The Kickers made an exciting come-from-behind rally in the second half of their Thanksgiving weekend game to tie 2-2. Both Alisons - Hughes and Wheeler - scored for the disciplined team, which now sports a 1-1-1 record in league play.

Softball, ultimate, football and men's soccer resumed play after the long weekend - their scores to follow. The hockey and basketball seasons are finally underway, led by hoopsters such as E. (Buzz) Buzzetti and J. Neatby, and puck snipers Christian, S. Levine and M. McLaughlin.

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### Law Games/Jeux Ridiques

Il y aura une séance d'information mercredi, le 19 octobre à midi. A cette occasion le comité des sports va distribuer des renseignements concernant les jeux, qui auront lieu les 3, 4, 5 et 6 janvier à l'université de Montréal.

All those interested in the Law Games should attend. This is really the highlight of the school year, so let's send a huge delegation!

### Sports Quiz

Which university finished 2nd (behind the host team) at last year's Law Games; with a delegation of 140 students?

Until next week. Waxmone.



## Pouvoir de Souvenir

### Suite de la p.1

réformes d'ordre économique, Zhao Zhiang était aussi en faveur de réformes politiques. Ainsi, le secrétaire général du parti avait soutenu ouvertement le mouvement de révolte des étudiants. C'est finalement Li Peng, partisan de la ligne dure, qui a emporté la lutte, a écarté Zhao Zhiang du pouvoir et a ordonné la répression sanglante du mouvement.

Mme Szacka a soutenu que la tournure tragique des événements, loin d'être inévitable, fut plutôt le résultat d'une attitude presque provocatrice des autorités. En effet, au lendemain de l'amorce du dialogue entre les dirigeants et les étudiants, le mouvement s'était nettement calmé et les cours avaient repris dans les universités. L'attitude intransigeante de Li Peng lui aurait en fait permis d'affermir son pouvoir au sein de la hiérarchie du parti.

On sait quel aura été le résultat de la répression ordonnée par Li Peng. M. Gabriel Régallet, d'Amnistie internationale (A.I.), deuxième conférencier invité, a présenté un rapport préparé par A.I., relatant les événements des 3 et 4 juin derniers. M. Régallet a rappelé qu'aujourd'hui encore il faut continuer d'exercer des pressions pour empêcher que le gouvernement et les entreprises canadiennes ne reprennent les affaires avec la Chine comme si de rien n'était.

Le rapport d'A.I. analyse d'abord les sources officielles et fait état de contradictions entre les déclarations des dirigeants chinois pendant les manifestations et leurs agissements subséquents. Ainsi, l'agence de presse officielle Chine Nouvelle avait annoncé le 21 mai, une semaine avant les massacres, que l'armée ne s'attaquerait jamais aux étudiants. Le parti a par la suite justifié ses actions en invoquant une rébellion contre-révolutionnaire, menée par une poignée d'individus cherchant à renverser le leadership du parti et le système socialiste de la Chine. Enfin, ces mêmes sources ont nettement exagéré le nombre et la gravité des attaques dirigées

contre les forces armées.

Selon les sources officielles chinoises le bilan de la répression se chiffre à 200 morts et 3 000 blessés. Bien que le nombre réel de victimes ne sera vraisemblablement jamais connu, il est évident, selon M. Régallet, que ces chiffres sont une grossière sous-estimation de la réalité.

Les autorités chinoises ont fait usage sans discernement d'armes à feu contre des innocents. Il n'existe aucune preuve pour démontrer que le mouvement avait pour but ultime le renversement du gouvernement chinois. Les victimes étaient pour la plupart des civils non-armés et l'armée a fait feu sans avertissement.

Depuis les massacres, A.I. a reçu des plaintes alléguant de nombreuses violations des droits de la personne en Chine. Depuis juin, au moins 4 000 personnes auraient été arrêtées. On rapporte des arrestations arbitraires, des détentions secrètes, des procès et des exécutions sommaires. Certains prisonniers auraient aussi été maltraités et torturés.

M. Régallet a aussi rappelé les agissements des autorités chinoises au Tibet. En mars 1979, l'armée chinoise a écrasé un mouvement de révolte au Tibet au prix de nombreuses vies. Dans ce contexte aussi, on rapporte de nombreuses violations des droits de la personne, allant de la torture aux exécutions sommaires. Il est intéressant de noter à ce sujet que le Dalaï Lama, chef spirituel du Tibet en exil en Inde, vient de recevoir le prix Nobel de la paix.

M. Régallet a conclu en réitérant l'importance que représentent les pressions exercées sur le gouvernement chinois et le soutien apporté aux victimes de violations flagrantes des droits de la personne.

**Deuxième partie dans le *Quid* de la semaine prochaine.**

## Announcements

### Cont'd from p.2

He is also looking for a researcher, either a student, a graduate, a stagiaire, or practicing lawyer to do research on maritime law and conflicts of maritime law on a part-time or a full-time basis.

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### Interested in Computers?

A recent article in the September issue of the National made the following statement:

"Law firms of the 1990s will be looking for lawyers who know their legal specialty as well as how to make technology work for them. The typical 1990s advertisement for a lawyer will ask for computer competence as an important qualification."

If you do not wish to be "left in the dust" during the 1990s, learn about computers while studying law - join the Faculty of Law's computer committee. Our first meeting will be held in Room 203 on Wednesday, October 25 at 1:00 p.m. Be there or be square (it is rumored that a member of the world famous COOL MONSOONS will be in attendance and will be signing autographs and serving pizza).

### Native Issues Conference

**General Meeting:** October 25, 12:15, Room TBA.

An independent group of students and InterAmicus are organizing a conference titled "Conflict, Self-Determination and Native Peoples; Searching for Common Ground." The conference will host a variety of dynamic speakers (lawyers, native leaders, etc.) currently on the "front line" of the issues.

We need your help! To refine the program, to fund-raise, to publicize, to take care of those niggling details... Call Anjali (482-1634) or Andrea (282-9188), or leave us your name and phone number on the sign-up sheet on the Lawyers for Social Responsibility Bulletin Board near the cafeteria.

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Continued on p.6



# ***Centaur Season Starts Sadly***

by Michael B. Kleinman, BCL II

The Centaur Theatre Company has launched its twenty-first season with Maynard Collin's *Hank Williams: The Show He Never Gave*, a musical tribute to Hank Williams, a supposedly influential country & western musician from the American south. Avid fans of country music from the 1940s and early 1950s will recall his many 'hits', including, "Cold, Cold Heart", "Jambalaya" and "Hey, Good Lookin'". When I came across these song titles in the showbill, my eyes did not 'pop' — in any sense of the word — out of my head. I suspect that for many of us, these tunes are not exactly familiar fare (unless we were lucky enough to have been serenaded to sleep by our doting grandparents).

Admittedly, I'm no expert in country & western music of bygone eras. I might

add that I'm not a lover of contemporary C&W tunes, either. Nevertheless, as I strain for a measure of objectivity (and something positive to say), the show has few redeeming qualities. *The Show He Never Gave* is directed by, and stars, Sneezy Waters, an entertainer who began his singing career in the 1960s and who is apparently famous (and lucky) enough to have appeared on such entertaining productions as the 'Alan Thicke Show', the 'Tommy Hunter Show' and, get this, the 'Family Brown Show' (supposedly one of Dean Morrisette's favourites). Waters does put in a decent performance; he strums and plucks at his guitar and sings in a style Hank Williams would have called, 'moaning the blues.' The problem is that Waters is supposed to be playing a character thirty years of age, but looks like he's nearing fifty-five himself.

The set is as sparse as can be, comprising

a bare stage and a couple of banners. For the season's premiere, this is a sad reflection of the Centaur's precarious financial situation (recent figures put the Theatre's deficit at \$100,000). Without the musicians' instruments to stare at (I refer in particular to the pedal-steel, played by Ottawa native Bob Taillefer), one would descend the depths of slumber even more quickly. It is unfortunate that all five cast members sing in harmony only twice or three times during the show; those were probably the most memorable (and enjoyable) moments of the whole production.

Lovers of country & western music (1940s style) and cynics (who suspect I've been overly harsh) should take in *Hank Williams: The Show He Never Gave*. You have until October 29. For tickets and information (and maybe a second opinion), phone the box office at 288-3161.

## **Announcements** Cont'd from p.5

### **LSR Meeting**

Lawyers for Social Responsibility (LSR) will hold their next meeting Wednesday, October 18 at 1:00 p.m. in Room 200. We will be dealing with general business matters. Peter Golden will also discuss an urgent action for Guatemala. Everyone welcome.

Remarquez que nous avons mis à la Réserve dans la bibliothèque une chemise qui contient plusieurs documents sur la Chine y compris un rapport récent d'Amnestie internationale (d'une cinquantaine de pages) et une description détaillée de la procédure établie par la résolution 1503 (de l'ONU) en matière des droits humains.

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### **Law Games/Jeux 'Ridiques**

First meeting for everyone interested in the highlight of the school year. Wednesday, October 19 at 12:00 p.m.

Room TBA.

### **Tasses QPIRG Mugs**

In keeping with the popular concern for the "greening" of our environment, on September 20 the Law Student's Association passed a resolution to encourage students to bring their own mugs for use in the cafeteria. I won't harp on the effects of fluorocarbons on the environment, or the implications of

Already, you can see some fearless souls carting around ponderous porcelain bowls for the pre-requisite caffeine fix. Some less intrepid souls have obtained unbreakable plastic mugs with lids. If caffeine affects you, it's best to have a mug that won't shatter when dropped from trembling fingers as you read your X-mas results.

These mugs are not yet endemic in the faculty, and some students are asking, "Why not?" (Don't ask me, I just write here.) In order to promote their initiative, the L.S.A. has agreed to buy these

marvellous explosion-proof mugs to sell to students. QPIRG-McGill will provide them to the L.S.A. at cost. L.S.A. will sell them to students at the same price. The mugs are on sale as you read this, and will be available from L.S.A. for the rest of the semester, so go ahead and get one (or two...).

Stay tuned to this column for more on the affairs of L.S.A., and how to personalize your QPIRG mug.

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### **Environmental Law Association**

The consensus is that there is considerable interest in starting an Environmental Law Association at the Faculty. There will be an organizational meeting to decide a mandate, budget and discuss specific goals on Wednesday, October 18 at 12:00 in Room 203.

Les étudiants qui veulent participer à l'administration de l'Association du Droit Environnemental sont les bienvenus.



## Take a Bite...

Cont'd from p.3

Apple. Social activities included: a boat cruise around Manhattan, a private party at the Central Park Zoo, lunches at trendy Wall Street restaurants at least three times weekly, charity benefits at hot N.Y.C. nightclubs, dinner and Broadway play-evenings with associate advisor and dates, a day off for the entire firm to enjoy sun and sports at the country club, and baseball games at Shea and Yankee Stadiums. If you thought I would deny the obscene extent of the "wooing" process pursued by the New York law firms, you were mistaken.

Although I find it hard to condone the extensive expenditure of money on law brats while, outside the trendy restaurants, the many homeless lay begging (especially hard to deny when I was a beneficiary of the firm's "good will"). I must admit that these social functions helped dispel my preconception of New York lawyers as one-dimensional and ruthlessly self-

interested. I discovered, through informal conversation, that the firm is made up of fascinating individuals with extra-legal talents, who are, in addition, exceptional lawyers.

Finally, the firm organized interesting seminars on legal topics related to the firm's activities and a field trip to the New York Stock Exchange.

### 4) The Future

Ten days after the completion of the students' summer work, the firm informs the summer associate whether the hiring committee has decided to extend an offer of full-time employment to her or him. If another summer remains before the student graduates, the firm also offers a summer associate position for the following year. The firm encourages, however, that the student sample another legal experience, even if that means working at a competing firm.

I realize, of course, that life as a New York associate "married" to the firm is not as glamorous as that of a summer associate still in the "courting" stage of the relationship. I witnessed associates whom I befriended work long hours on high-pressure work. These conditions deter me from jumping on the N.Y.C. bandwagon. The quality of the assignments given to the associates, however, is high, as is the level of responsibility and these factors help explain the stressful nature of the associate's job. The training that these associates are receiving, furthermore, is probably some of the best around, as the partners guiding them are some of the best around. My presently unformed decision whether to join a New York law firm will involve a balancing of these pros and cons of associate life.

# Article 128

## Clinique d'aide juridique de McGill Legal Aid Clinic

by Maria Yang, LL.B. IV

The provincial legal aid system only partially achieves what it is generally believed to do: provide legal assistance for those with limited financial resources. First of all, there are the inherent restrictions on access to the Legal Aid system. A single person may not earn more than \$170 weekly gross income to qualify, and the corresponding figure for a couple is \$210. Moreover, as a matter of principle, Legal Aid does not accept income-generating cases (which are defined as cases which may lead to a monetary award being granted) except where the primary basis of the suit is the recognition of a legal right, such as an alimentary pension.

What to do for the majority of the population who does not qualify for Legal Aid because of the income threshold requirement, yet find the cost of legal fees daunting, if not impossible?

There are very few avenues available to the person who falls into the gap created by the Legal Aid system and the often exorbitant fees demanded by practitioners. The Women's Referral Centre and the Bar Association offer half-hour consultation services with lawyers, at no charge in the former case, and for a nominal fee of \$20 in the latter.

This still does not address the issue of the legal fees incurred if the lawyer is retained. In some cases, it is possible to retain a lawyer on a contingency basis, but this must be negotiated with the

individual lawyer. However, such a consultation may be very valuable regarding matters involving sums of less than \$1000, which would fall under the jurisdiction of the Small Claims Court where no legal representation is permitted.

Many cases may be dealt with by specialised boards such as the Régie du Logement, the Consumer Protection Office, and the Régie d'assurance automobile. However, these are specific statutory schemes which do not necessarily require the services of a lawyer (except for consultation purposes).

Ultimately, however, there are not many alternatives to paying steep fees for the average "law-consumer", an issue that should be addressed by both the private and public sectors.



# Canada's Complicity: East Timor, Part IV

by Jeffrey Rudolph, LL.B. III

**This is the last of four installments dealing with Canada's complicity in the near-genocidal invasion, occupation and annexation of East Timor by Indonesia. The first two installments dealt with the massive abuses being committed by Indonesia's military in both Indonesia and East Timor. This installment will complete installment three's analysis of the motivations and extent of Canada's complicity in these abuses.**

Canada's decision to maintain aid to Indonesia without strictures in the face of the East Timor invasion is plainly inconsistent with:

- (i) The mid-1960s stance adopted in the face of the far less destructive assault on Malaysia (discussed in previous installments);
- (ii) The cut off of all new Canadian bilateral aid to Vietnam in response to its invasion of Kampuchea (formerly Cambodia);
- (iii) The cut off of all aid to the puppet regime Russia sponsored after its invasion of Afghanistan;
- (iv) Canada's opposition to the incorporation of states such as Estonia, Lithuania and Latvia into the USSR over 40 years after the fact, (yet Canada deems it useless to badger Indonesia over East Timor).

Canada promotes and subsidizes Canadian weapon sales to Indonesia's army. As of 1985, the following have all gone to Indonesia for likely use in East Timor: ammunition from two Quebec military companies, radar and radios from Litton Systems and Canadian Marconi, military vehicles (probably tanks) from Levy Auto Parts and seven military transport planes from de Havilland. Such sales occur despite Canada's official policy of not sending arms to "countries involved in hostilities or where there is an imminent threat of hostilities." (Our

normally unimaginative government gets around this policy by simply deeming that no hostilities exist. If this absurdity is ever exposed Mulroney can simply claim that guns don't kill, soldiers do.)

Diplomatically, Canada has rendered significant support to Indonesia by:

- (i) Assisting Indonesia's efforts to have the East Timor issue removed from all UN agendas, including the Human Rights Commission. (Indonesia lobbies hard in the UN, using economic incentives and threats, to attract supporters.);
- (ii) Consistently voting against UN resolutions deploring the invasion and calling on all states to respect the right of Timorese to self-determination. (Yet, Canada was sharply critical of the Soviet invasion of Afghanistan in the UN; strongly endorsing a 1980 UN resolution calling for the withdrawal of foreign troops and self-determination for Afghans. At the same time Canada gave \$13 million in aid to the Afghan refugees.)

Incidentally, in September 1988, the twelve countries of the EEC passed a strongly worded resolution in the European Parliament (164-12) affirming the right of the East Timorese to self-determination and calling for all states to stop arms sales to Indonesia until the illegal occupation ends.

Pathetically, Canadian officials continue to participate in Indonesia's program of guided tours of East Timor, and report back on all the happy faces they saw. (The Nazis provided pictures of their troops being met with flowers and smiles as well.) In November 1988, six members of Parliament visited East Timor as guests of the Indonesian military, and thereby essentially endorsed the occupation as they had no bad words for their hosts afterwards. It is interesting to note that in 1978, Glen

Shortliffe, Canada's then-ambassador to Indonesia, was part of the first hand-picked party of diplomats and journalists given a conducted tour of East Timor. (For three years after the invasion East Timor had been completely cut off while the Indonesian military cleansed East Timor.) Shortliffe was shocked by the condition of the natives and subsequently wrote a report which the government will not release. (At the same time as Shortliffe's visit, a Red Cross official reported that conditions in the hamlets were worse than what he had seen in famine-stricken Biafra or Cambodia.)

Canada's current position is that there is no point in rocking the boat given that the situation in East Timor is irreversible, (thanks to Canadian and other states' complicity). Officials in External Affairs essentially agree that atrocities "occurred", but they claim that now things are different and pressure on Indonesia would only interfere with the improvements it is pursuing. (Even the US normally agrees that its Third World-supported thugs were brutal - after they are removed by other thugs, e.g. Guatemala, Paraguay, Haiti - and always claim that the current leaders, due to US pressure, are striving toward democracy.)

If Canada were to live up to its rhetoric it would be using its leverage over Indonesia to press for: improvements in human rights in Indonesia; a genuine opening of East Timor; a ceasefire in the military's activities in East Timor; and a withdrawal of Indonesian troops to be followed by a UN administered referendum in East Timor (so that the Timorese could vote on their future).

## The Final Word

There is one main reason why Canadians should be concerned over East Timor: a basic legal principle is

Cont'd on p.10



# Interviewing at Law Firms: A How-to Guide

by Zino Macaluso, B.C.L. III

Yes friends, the time has finally come. All of us are familiar with that famous McGill motto "publish or perish". Well, it's been a full year since your favorite editor and mine chose to announce the publication of my pre-highlighted class notes, Zino: The Man and the Law (Vol.1) and Zino: The Man and the Law (The Early Years) (Vol.2).

Fearing expulsion, I realized something must be done to show the big guns that I haven't merely been resting on my laurels. Of course, I had to keep in mind one fundamental principle: a writer should only write about things he knows. Personally speaking, my knowledge is restricted to two topics:

- 1) Highlighting techniques/instruments, and
- 2) interviewing with law firms.

Since the former has been extensively covered in my voluminous albeit expertly highlighted treatises, I now attempt an examination of the latter subject. I have interviewed with approximately 600 firms.

Thus, I have the privilege of announcing the Doubleday publication of my new book, How to Interview with Law Firms. Due to the *Quid*'s spatial restrictions, I have extracted Chapter 5 of the aforementioned, entitled "Prohibitions", which I share with you today:

When interviewing with a large law firm always keep in mind these fundamental prohibitions:

- a) **The Tour:** When you are taken on a tour of the office, never interject with questions like "May I see the summer student sweatshop now please?"
- b) **Salary:** When discussing salary, never say things like, "In New York summer students are paid \$1,300/week. I assume your rates are comparable?"
- c) **The work:** Never say things like, "Gee I hate corporate."

d) **The hours:** Never say things like "I'm basically a person who needs a lot of rest."

On the other hand, when interviewing with a small law firm, always keep in mind these fundamental prohibitions:

- a) **The tour:** When you are taken on a tour of the office, never say things like "Is that it?"
- b) **Job Security:** Never ask questions like "How familiar are you with the *Bankruptcy Act* provisions relating to the failure of small businesses?"
- c) **The facilities:** Never say things like, "Gosh, do you people have your own bathroom or do you use the Texaco station's on the corner?"

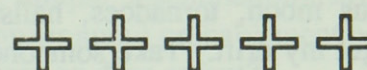
**General Prohibitions Regardless of Firm Size:**

a) **The National Program:** Never say things like "the Common Law fascinates me" or "Gee, don't you think the codification movement is greatly overrated?"

b) **Language:** Never say things like "Ben sure, je parlor frawnsay," and finally,

c) **Choice of firm:** When asked why you chose their law firm, never say things like "Well, you guys called me for an interview".

There you have it. If you'd like to hear more from my fascinating new book, please forward all such requests to Dan Urbas.



John Henry Cardinal Newman Annual Lecture

## *"Natural and Revealed Communities"*

A lecture by

**Dr.  
Northrop  
Frye**

Tuesday, October 17 at 18h00

Palmer-Howard Auditorium, McIntyre-Medical Sciences Building

Sponsored by the McGill Chaplaincy Service and  
the Newman Association of Montreal

Post lecture discussion with Professors Charles Taylor (Political Science), N. Henchey (Faculty of Education) and others will take place in the Moot Court Room, Faculty of Law, Old Chancellor Day Hall the following evening, Wednesday, 18 October 1989 at 17h30.

**McGill**



# Emergency Culture Bulletin

by Darcy Edgar, LL.B. II

If torts have got you down and your best guy/girl was spotted at the last coffee house soulfully gazing into the eyes of someone rumoured to be a great supplier of ace summaries, don't despair, there is something you can do: run don't walk to view Paterson Ewen's paintings at the Musée des beaux-arts, 1479 Sherbrooke, through 12 November. Ewen's paintings are huge and gutsy. They have the same overpowering effect as the natural phenomena he depicts: lightning bolts, waves crashing on a distant shore, the gibbous moon, tornadoes, hailstorms. You get my drift. Take someone with

you and throw all caution to the winds.  
(Info: 285-1600)

For the frivolous, a perfect show: Les chapeaux féminins d'hier et aujourd'hui, presented at three locations through 13 November (Part I: Edifice Ernest Cormier, 100, rue Notre Dame est; Part II: Chateau Ramezay, 260, rue Notre Dame est; and Part III: Maison Sir Georges Etienne Cartier, 458, rue Notre Dame est). Call 861-3708, 283-2282, or 873-3064 for info. While you're down in this fascinating part of town, you can drop into Wilson & Lafleur, the law book store, which is located at 39, rue Notre Dame ouest. That's using your head!

## Quotes of the week

**Professor Morissette, commenting on the Cool Monsoons' rehearsals in the basement of OCDH:**

**"You know, this place is becoming like a motel stop for truckers." (Recorded in Judicial Law and Evidence, September 29).**

**Professor W. Flanagan, in response to a question put by a student in Common Law Property (October 5):**

**"I don't know, I don't know ... That's just the way it is."**

**East Timor...  
Cont'd from p.8**

that persons are responsible for the reasonably foreseeable consequences of their actions. Because of this principle, Canadians bear a heavy responsibility for the crimes in East Timor.

While it may be more popular to work on human rights abuses in the East Bloc, three points should be remembered:

- (i) Canada is not responsible for these crimes;
- (ii) Canada has very little leverage over the East Bloc;
- (iii) When considering the enormity of the crime in East Timor, it is clear that the amount of attention it receives is unacceptable - given that we work from the premise that Timorese are humans deserving of human rights. (One should realize that there are literally tens of thousands of persons working for human rights in the East Bloc, not to mention the US Congress and other institutions). While the addition of one person in this noble effort will hardly make a difference, the addition of even one high profile Canadian (I. Cotler?) willing to make the Timorese his/her top priority, could make a difference.

Persons interested in sending money to assist the Timorese effort can mail their contributions to the following address:

East Timor Alert Network  
Box 354  
Ladysmith, B.C.  
V0R 2E0

